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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/577,190 | LIN-HENDEL, CATHERINE | |
| | Examiner | Art Unit | |
| | STEVEN B. THERIAULT | 2179 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *12 January 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-22,25 and 29-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22, 25, 29-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

**DETAILED ACTION**

1. This action is responsive to the following communications: Arguments filed 6/19/2008.

2. Claims 1-22, 25, 29-51 are pending in the case. Claims 1, 2, 22, 23, 24, 29, 31, 42, 45, 50 and 51 are the independent claims. Claims 23-24, 26-28 are cancelled. Claims 30-51 are new.

***Response to Arguments***

Applicant's arguments with respect to claims 1-22, 25, 29-51 have been considered but are moot in view of the new ground(s) of rejection.

However, to aide in clearing the prosecution record, the rationale for the new grounds of rejection is as follows. 1) At least the claims 2-8 now require a textual format, which necessitates a new rejection along with the new claims 30-51. 2) Arguments presented arguing that Bates requires the map to at least be retrieved once are persuasive because the structure of Bates needs to retrieve the relationships and links within the map to display it to the user at least once. It is debatable that at least claim one does not outline the structure to which states the timing in which the "viewing" occurs. It is the examiners position that nothing states that the user starts from a specific viewing location on the web. Claim 1 outlines the viewing of category information via a device that then allows the user to retrieve information with a single command of selecting on the given node in the map. Bates clearly teaches the user can navigate the map and browse over nodes with the cursor and the system will expand the node to view the information without the user clicking. However, to forward prosecution as to what Bates does and does not say, a new grounds of rejection is presented. The second argument that Bates does not comprise a plurality of category titles is not persuasive as the "category titles" in the claim is a broad concept and can be any category of information displayed to the user. In Bates, it is clear the information is categorized by association to the linked page and hierarchically displayed to the user. Nonetheless, a new grounds of rejection has been presented with the teachings of Gennaro in view of Finseth.

It is also noted that arguments have been presented toward the single retrieval notion in the claim and the examiner understands the point at issue is the "single retrieval command" in the claim. While the broad

embodiment as described in the specification discussed a single "retrieval command", the user interface is clearly receiving commands to navigate the menus, via the mouse over of the menu. For example, using Figures 6B-6D, the user has to move the mouse over the "bonneville@home" menu item and the sub-category is displayed. This action in the interface is an event, while not necessarily a retrieval command, it is an event that the interface may process. In order for the user to view another structure, such as "Art & Antique" they would have to move their mouse over “Art and Antique” to see the sub-category underneath it, which would generate at least the need to retrieve some of the menu information from a location in memory. While they are viewing "Art & Antique" they cannot be viewing "bonneville@home" and they cannot see the structure under “Bonneville@home”. Therefore, it is understood that the claim recites “ retrieve content from any other category title” to mean that the user navigates the menu structure, which is presented without the user clicking, and the user can move from one listing to the next, without the interface retrieving the content for the viewed listing until the user clicks on said listing. The claims can be clarified to show the user interaction to view any other listing and as to what a category listing might be. Otherwise, a broad and reasonable interpretation of the claim language can be that a "category" can be almost any type of information that has an index and the process of “”viewing" the structure can be interpreted as using a "mouse over or rollover" process within a menu that was known to the skilled artisan at the time of the invention (e.g. dynamic html or JavaScript or ECMAScripting).

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/12/2009 has been entered.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 30-51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 30-50 are directed to a user interface for a device. A user interface is not one of the four statutory classes of invention. The claims do not recite the necessary hardware elements to establish the claimed interface as one of a machine, apparatus or article of manufacture, therefore claims 30-50 are rejected for not reciting elements to place the subject matter into one of the four classes of invention.

Claim 51 is rejected for not meeting the first test under In re: Bilski of reciting a method that is tied to a particular apparatus or performs a transformation. The claim does not recite hardware elements that clearly tie the method to a device, apparatus or article of manufacture. Therefore, claim 51 is rejected for not meeting the first test under Bilski.

***Claim Rejections - 35 USC § 103***

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103 that form the basis for the rejections under this section made in this Office action**:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-22, 25, 29-51 are rejected under 35 USC 102(b) as being anticipated by Gennaro et al. (hereinafter Gennaro) U.S. Patent No. 5742768 issued Apr. 21, 1998, or in the**

**alternative Gennaro in view of Finseth et al. (hereinafter Finseth) U.S. Patent No. 6,271,840 issued Aug. 7, 2001 and Filed Sept. 24, 1998.**

With regard to **Independent claim 1,** Gennaro teaches a system for navigating and browsing electronic media, comprising:

- *A device enabling viewing of digitally stored information, the device being configured to display at least portions of a categorization structure having a plurality of nested cascading category levels* (Gennaro figure 1 and figure 2b and column 3, lines 25-42 and 57-67). Gennaro teaches a memory device capable of displaying an embedded menu within a webpage. The menu contains a structure categorized by function. Each function has one or more sub-categories of information as shown in figure 2b.
- *Each category level of the plurality of nested cascading category levels comprising a plurality of category titles of electronic media content stored on a storage device (*Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19) Gennaro teaches a menu with selections to access content on a memory device (See column 3, lines 25-41).
- *Each category title having a selectable link-token to the stored content for said each category title, (Gennaro column 4, lines 42-53)* Gennaro shows the links stored underneath the “who we are" option that direct the user to the related "corporate overview” site. The links shown have a stored URL location to a specific site related to the category of "who we are" therefore they are considered a link-token.
- *Each category title also being coupled to the category title's hidden nested subcategory structure of said each category title, the hidden nested sub-category structure of said category title comprising link tokens of category titles comprised in said each category title and the category titles in the different plurality of category levels able to be browsed independently of having to select and retrieve the stored content for any title from the storage device* (Gennaro figure 2b and column 4, lines 40-55) Gennaro shows under

each title there is a hidden nested category structure. Under the "Global sites" link the user cannot see the links while they are viewing the "who we are" information but the information nonetheless is present.

- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command (See column 4,lines 40-67 and column 5, lines 25-43 and figure 4). Gennaro specifically teaches a process of allowing the user to move the mouse over the menu options, without retrieving a webpage, to view the different menu items. Gennaro allows the user to view any category from any other category with a simple mouse movement and when the user wants to access the given web page then they click on it, which is a single retrieval command.

In the alternative, if the teachings of Gennaro cannot be considered as anticipating the limitation of “each title having a selectable **link-token**” then the teachings of Finseth can be relied upon. Finseth teaches a selectable token that a user selects and the information is retrieved related to the token *(Finseth column 5, lines 1-20)*. Finseth also teaches a web crawler that can display information from databases, lists or visual indexes that can include categories of information with a link to the title of the category. Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result (Finseth Figures 5-8 and column 8, lines 45-67 and column9, lines 5-20 and column 10, lines 1-15). The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). Finseth also teaches that the categories of information are hierarchical and presents specific

examples of applications such as ALTAVISTA, LYCOS, YAHOO, EXCITE and the like are used for the purposes of providing any delivered list of URL's for retrieval and graphical summary as rendered in a visual index which would include having a link tokens to sub-category levels.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro to specifically teach that the links can be link-tokens or other types of identifying information to access a content location. Finseth teach a visual processing of information and a process of making it easier for the user to preview and derive an indication of where the user is going to be directed to if they select a hyperlink with a mouse. Gennaro teaches a similar manner of allowing the user to browse internet information, through mouse roll-over events, for the purposes of allowing the user to view the destination website without actually downloading it which saves time waiting for each site to download. Therefore, the motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches (See column 2, lines 1-20 and 45-67).

With respect to **dependent claim 2,** Gennaro teaches a system for tracking the navigation and browsing of electronic media, and facilitating the changing of navigation and browsing path, the system comprising a computer configured to display to a user pages of content within an inter-linked content structure having a textual table format comprising at least three category levels, and to enable the user to retrieve at will with one single click any desired content page within inter-linked content structure (Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19). Gennaro expressly teaches allowing the user to browse through the content that is interlinked with at least three levels and retrieve the information with a single click. The information shown is text and tabular.

With respect to **dependent claim 3,** Gennaro teaches the *system wherein link tokens of one or more category titles in a first category level of the plurality of nested cascading category levels are displayed for viewing on a display device in response to placing a cursor on a starting symbol representing a gateway to viewing the categorization structure displayed on the display device, without clicking (*Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19). Gennaro expressly teaches moving the mouse over the embedded menu, which displays the hidden information below the level. The symbol is the hot spots 44 that are shown in figure 2b as highlighted when selected. The user does not have to click to see the menu, as shown in 2b (See also figure 4).

In the alternative, if the links of Gennaro cannot be considered link tokens, then the links of Finseth can be relied upon. (Finseth Figures 5-8 and column 5, lines 1-20 and column 8, lines 45-67 and column 9, lines 5-20 and column 10, lines 1-15) Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result. The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). The motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches (See column 2, lines 1-20 and 45-67).

With respect to **dependent claim 4,** Gennaro teaches the *system, wherein the link-tokens of one or more category titles in the first category level are displayed on the display device underneath the starting text-string or a symbol representing the gateway to viewing the categorization structure* (Gennaro figure 2b).

With respect to **dependent claim 5,** Gennaro teaches the *system wherein placing the cursor on one link-token of the link-tokens of one or more category titles in the first category level causes the title to be highlighted and causes a second category level having a second plurality of titles to be displayed alongside the first category level, the plurality of titles in the second category level being sub-categories of the category title highlighted in the first category level* (Gennaro column 4, lines 30-55 and figure 2b). Gennaro shows the link as highlighted and the menu displayed as a second level 48.

With respect to **dependent claim 6,** Gennar0 teaches the *system wherein the titles in the first category level are displayed in a first listing-area with the titles listed one under the other* (Gennaro figure 2b). Gennaro shows the titles displayed in area 40, one under the other 44.

With respect to **dependent claim 7,** Gennaro teaches the *system wherein the titles in the second category level are displayed in a second listing-area with the titles listed one under the other* (Gennaro figure 2b, 42, 46, 48).

With respect to **dependent claim 8,** Gennaro teaches the *system, wherein placing the cursor on one of the category titles displayed in the second category level causes said title to be highlighted and causes a third category level having a third plurality of category titles to be displayed alongside the second category level, the plurality of titles in the third category level being sub-categories of the highlighted title displayed in the second category level* (Gennaro figure 2b and column 4,lines 30-67) Gennaro shows and teaches a first, second or multiple levels can be displayed. Gennaro shows the selected item as highlighted 42. In the alternative, Gennaro suggests that multiple levels can be displayed but shows a first and a second level. Finseth teaches shows any number of levels under a given link can be shown (Finseth figures 5-8 and column 6, lies 1-67 and column 8, lines 20-67). Finseth teaches a visual index (See column 9, lines 43-67) where the search results can be displayed on one side of the window and the results on the other side where one or more levels and categories

can be displayed. The motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches (See column 2, lines 1-20 and 45-67).

With respect to **dependent claims 9-10,** as indicated above Gennaro teaches every limitation of claim 1.

Gennaro does not expressly teach the *system wherein the system has a selectable number of category levels* (Finseth column 10, lines 9-30). However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Finseth, because Finseth allows the user to customize the presentation of search information displayed within the window. Finseth teaches the *system wherein the system has a selectable number of category levels* (Finseth column 10, lines 9-30). The motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches (See column 2, lines 1-20 and 45-67).

With respect to **dependent claim 11,** Gennaro teaches the *system, wherein the system is implemented using software* (column 3, lines 20-57).

With respect to **dependent claims 12 and 13,** Gennaro teaches the system wherein when the cursor is moved from a category level having a plurality of category titles which are sub-categories of a title in a higher category level, the category level with the plurality of sub-category titles and all subsequent category levels cease to be displayed on the display device (column 6, lines 5-20 and figure 4).

With respect to **dependent claim *14,*** Gennaro teaches the *system wherein a browser can browse the categorization structure independently of any media content displayed on the display device.* ((Column 4, lines 54-67 and column 5, lines 1-20).

With respect to **dependent claim 15,** Gennaro teaches the *system wherein a browser can navigate and* browse the different category titles in the different category levels of the categorization structure without having to select and retrieve a page of media content from the storage device and without having to navigate back and forth between different pages of media content (column 4, lines 54-67 and column 5, lines 1-20).

With respect to **dependent claim 16,** Gennaro teaches the *system wherein the categorization structure resides with the pages of media content but is not displayed on the display device with the media content until a browser places the cursor on the starting symbol* (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

With respect to **dependent claim 17,** Gennaro teaches the *system wherein the media content are the pages of a web site* (figure 2a and 2b and column 3, lines 42-63).

With respect to **dependent claim 18,** Gennaro teaches the *system wherein a browser can navigate and browse the different category titles in the different category levels of the categorization structure without having to down load a web page from the storage device and without having to navigate back and forth between different web pages* (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

With respect to **dependent claim 19,** Gennaro teaches the *system wherein the categorization* structure resides with the web pages but is not displayed on the display device with the web pages until a browser places the cursor on the starting symbol (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b and column 3, lines 40-67).

With respect to **dependent claim 20,** Gennaro teaches the *system wherein a browser can navigate back and forth between a category title in a first category level and a category title in a second*

*category level of the categorization tree structure* (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b and column 5, lines 25-40 ).

With respect to **dependent claim 21,** Gennaro teaches the *system wherein a browser can move from a first or any category title in a particular level to any other title in the same level of the categorization tree structure* (column 4, lines 54-67 and column 5, lines 1-20, compare figure 2a and 2b).

In regard to **Independent claim 22,** Gennaro teaches a *system for navigating and browsing electronic media, comprising:*

- *A device enabling viewing of digitally stored information, the device being configured to display at least portions of a categorization tree structure having a plurality of cascading category lists* (Gennaro figure 1 and figure 2b and column 3, lines 25-42 and 57-67). Gennaro teaches a memory device capable of displaying an embedded menu within a webpage. The menu contains a structure categorized by function. Each function has one or more sub-categories of information as shown in figure 2b.
- *Each category list of the plurality of nested cascading category lists comprising a plurality of category titles of electronic media content stored on a storage device (*Gennaro column 4, lines 30-54 and column 5, lines 27-41 and column 6, lines 5-19) Gennaro teaches a menu with selections to access content on a memory device (See column 3, lines 25-41).
- *Each category title having a selectable link-token to the stored content for said each category title, (Gennaro column 4, lines 42-53)* Gennaro shows the links stored underneath the “who we are" option that direct the user to the related "corporate overview” site. The links shown have a stored URL location to a specific site related to the category of "who we are" therefore they are considered a link-token.
- *W*herein the device is configured to display one or more link-tokens stored content file for said each category title in response to placement of a cursor on the selectable link-token of said category title without clicking on or invocation of the selectable link-token of said category title, whereby the system enables the category titles in the different plurality of category, lists to be browsed independently of selecting and retrieving stored

content files for any title from the at least one storage device(Gennaro figure 2b and column 4, lines 40-55) Gennaro shows the user can browse the embedded menu without clicking and the stored content from the menu can be displayed to user as they move the cursor over each item. The menu can be browsed separately from the content displayed to the user.

- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command (See column 4,lines 40-67 and column 5, lines 25-43 and figure 4). Gennaro specifically teaches a process of allowing the user to move the mouse over the menu options, without retrieving a webpage, to view the different menu items. Gennaro allows the user to view any category from any other category with a simple mouse movement and when the user wants to access the given web page then they click on it, which is a single retrieval command.

In the alternative, if the teachings of Gennaro cannot be considered as anticipating the limitation of "each title having a selectable **link-token**" then the teachings of Finseth can be relied upon. Finseth teaches a selectable token that a user selects and the information is retrieved related to the token *(Finseth column 5, lines 1-20)*. Finseth also teaches a web crawler that can display information from databases, lists or visual indexes that can include categories of information with a link to the title of the category. Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result (Finseth Figures 5-8 and column 8, lines 45-67 and column9, lines 5-20 and column 10, lines 1-15). The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the

cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). Finseth also teaches that the categories of information are hierarchical and presents specific examples of applications such as ALTAVISTA, LYCOS, YAHOO, EXCITE and the like are used for the purposes of providing any delivered list of URL's for retrieval and graphical summary as rendered in a visual index which would include having a link tokens to sub-category levels.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gennaro to specifically teach that the links can be link-tokens or other types of identifying information to access a content location. Finseth teach a visual processing of information and a process of making it easier for the user to preview and derive an indication of where the user is going to be directed to if they select a hyperlink with a mouse. Gennaro teaches a similar manner of allowing the user to browse internet information, through mouse roll-over events, for the purposes of allowing the user to view the destination website without actually downloading it which saves time waiting for each site to download. Therefore, the motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches (See column 2, lines 1-20 and 45-67).

With respect to **dependent claim 25,** Gennaro teaches the system wherein the system is embedded with a hidden dynamic nested-cascading categorization structure that allows the browser viewing any content page to browse and view the entire categorization structure independent of the content of any content Page (Gennaro column 3, lines 40-67).

In regard to **Independent claim 29,** claim 29 incorporates substantially similar subject matter and claim 1, and in further view of the following, in rejected along the same rationale. Gennaro teaches a

starting symbol (See figure 2b, 44, hotspots with a specific round symbol). Gennaro shows a portion of the structure is displayed when the cursor moves over it (see column 4, lines 40-67). The user can with a single click return to any previous web page by moving the mouse over the menu and navigate to another of the linked pages because the windows of Gennaro implement a framed window with the menu displayed across the top when the desired URL is clicked allowing for the embedded menu to remain displayed to the user (See column 6, lines 20-34).

With respect to **dependent claim 30,** Gennaro teaches the structure is hidden from view and a subcategory structure is not displayed until a cursor rolls over a respective category title (See column 4, lines 40-67 and column 5, lines 25-43 and figure 2a-2b, 3a, 3b and 4).

In regard to **claims 31- 50,** claims 31-49, reflect substantially similar subject matter for performing the operations in system claims 1-21 by reciting the user interface used by the system of claims 1-21, respectively. Claims 31-50 are rejected, in further view of the following, along the same incorporated rationale of claims 1-21.

Gennaro teaches a cursor controlled by the user (See figure 2b) and the primary region 40 is responsive to navigation by the mouse (See figure 2a and 2b and column 4, lines 40-67). Second categories are displayed once the mouse is over a link (See figure 2b, 48). The content display region is shown once the user selects a link (see column 5, lines 50-67 and column 6, lines 5-35). Gennaro shows a tracking string that represents the path of the selection, where the location field provides a dual function of displaying the URL of the current location of the mouse along with the status bar (See column 4, lines 1-15). The tracking string is one displayed as the user rolls the mouse over the menu. The tracking string is displayed within the content display region and the pages are websites. The regions cease to be displayed when the cursor is moved from the menu (See column 3, lines 40-67 and column 4, lines 40-67). The links are displayed with a halo and highlighted as compared to the other links to indicate selection to the user when they roll over the menus (See figure 2b and column 4, lines 30—54). The symbol to enter the gateway is shown in figure 2b, 44. The subcategory menus are URL locations and consistent with the operation of displaying the first level tracking string the second and subsequent level strings are displayed in the location bar and the status bar and only displayed in response to movement by the cursor.

Gennaro does not suggest or disclose a mechanism to use a single click command to activate browsing the menu and a double click to select the content and a subsequent single click to de-select the browsing menu function. However, it would have been obvious to the skilled artisan at the time of the invention having the teachings of Finseth in front of them to use the suggested (See column 8, lines 63-67) JavaScript to activate or control the browsing of the menu because Finseth suggests activating a link by a mouse click or **otherwise** (See column 9, lines 25-30) and known features such as tooltips may be associated with the links. Icon link and other feature control and access may be obtained by using the right mouse button, which would provide the known element of providing a right click menu to the user to activate a function such as turning on the browsing function and turning it off. Therefore, the motivation to combine Finseth with Gennaro comes from the suggestion in Finseth to display the information as links and reduced images in order to quickly allow the user to filter through vast amounts of information available from web searches and allowing the system to provide additional selection features to view said information (See column 2, lines 1-20 and 45-67 and column 8, lines 63-67).

In regard to **claim 51**, claims 51, reflects the method comprising computer readable instructions for performing the operations in system claim 1 and is rejected along the same rationale.

**A reference to specific paragraphs, columns, pages, or figures in a cited prior art reference is not limited to preferred embodiments or any specific examples. It is well settled that a prior art reference, in its entirety, must be considered for all that it expressly teaches and fairly suggests to one having ordinary skill in the art. Stated differently, a prior art disclosure reading on a limitation of Applicant's claim cannot be ignored on the ground that other embodiments disclosed were instead cited. Therefore, the Examiner's citation to a specific portion of a single prior art reference is not intended to exclusively dictate, but rather, to demonstrate an exemplary disclosure commensurate with the specific limitations being addressed. In *re Heck*, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In *re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). In re: *Upsher-Smith Labs. v. Pamlab, LLC*, 412 F.3d 1319, 1323, 75 USPQ2d 1213, 1215 (Fed. Cir. 2005); *In re Fritch*, 972 F.2d 1260, 1264, 23 USPQ2d 1780, 1782 (Fed. Cir. 1992); *Merck & Co. v. Biocraft Labs., Inc.*, 874 F.2d 804, 807, 10 USPQ2d 1843, 1846 (Fed. Cir. 1989); *In re Fracalossi*, 681 F.2d 792,794 n.1, 215 USPQ 569, 570 n.1 (CCPA 1982); *In re Lamberti*, 545 F.2d 747, 750, 192 USPQ 278, 280 (CCPA 1976); *In re Bozek*, 416 F.2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).**

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN B. THERIAULT whose telephone number is (571)272-5867. The examiner can normally be reached on Mon.-Fri. 10 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Steven B Theriault/
Primary Examiner
Art Unit 2179